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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
ASTP0013USA

First named inventor: Sam Shiaw-Shiang Jiang

Application No.: 09/681,992

Art Unit: 2131

Filed: July 5, 2001

Examiner: Jackson, Jenise E

Title: LOCAL SUSPEND FUNCTION AND RESET PROCEDURE IN A WIRELESS
COMMUNICATIONS SYSTEM

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1500 _____ (37 CFR 1.17(m))

* Authorization to charge desposit account no. 50-3105 on EFS-WEB

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of RCE _____ (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Approved for use through 09/30/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Winston & Co

Signature

09/12/2006

Date _____

Winston Hsu

Typed or printed name

41526

Registration Number, if applicable

P.O.Box 506, Merrifield, VA 22116, U.S.A.

Address

Voice Mail: 302-729-1562

Telephone Number

Address

Enclosures: ☒ Fee Payment

☒ Reply: Request for Continued Examination☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

Date _____

Signature

Typed or printed name of person signing certificate

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title: LOCAL SUSPEND FUNCTION AND RESET PROCEDURE IN A
WIRELESS COMMUNICATIONS SYSTEM
Appl. No.: 09/681,992 Filing Date: July 5, 2001
Examiner: Jackson, Jenise E Confirmation No.: 1171
Art Unit: 2131 Docket No.: ASTP0013USA
First Named Inventor: Sam Shiaw-Shiang Jiang

To: Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Subject: Petition to Revive an Unintentionally Abandoned
Application under 37 CFR §1.137(b)

Dear Sir/Madam:

This is a petition under 37 CFR 1.137(b) to revive the above-identified application, which had become abandoned on December 26, 2005, for the failure of taking required action within the maximum statutory period for reply to a final rejection.

A reply to the final rejection was filed on December 26, 2005, with no response from the Office until June 29, 2006 when the Advisory Action was mailed. After received the Advisory Action, the undersigned agent soon realized that the current application had already become abandoned because of the maximum 6-month statutory period rule. The undersigned agent decided to contact the examiner and ask her to issue a Notice of Abandonment right away so that the undersigned agent could file a petition under 37 CFR §1.137(b) to revive the current application and also to file a request for continued examination (RCE). However, after leaving several telephone messages to the examiner about such intention, the undersigned agent failed to get response from the examiner. Finally, the undersigned agent got in contact with the examiner and received the advise from the examiner that the undersigned agent can file the petition as well as a RCE regardless of the Notice

of Abandonment. As a result, this petition together with the required RCE were drafted with diligent efforts and submitted herewith.

Overall, the entire delay in filing the required reply after the abandonment of the current application was completely unintentional. The undersigned agent failed to track the 6-month period after filing the response to the final rejection in the first place, and after realized the current application had become abandoned, the undersigned agent erroneously believed that a petition to revive an abandoned application should be filed after receiving a Notice of Abandonment from the Patent Office and thus spent a lot of time in communicating with the Office and waited there for a clarification from the examiner. Please find the form PTO/SB/64 and the required RCE in the attachment. In addition, the petition fee set forth in 37 CFR 1.17 (m) is being paid through EFS-WEB by the authorization to deduct from deposit account no. 50,3105.

Respectfully submitted,



Date: 09/12/2006

Winston Hsu, Patent Agent No. 41,526

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Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)